

**ENTERED**

June 22, 2016

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
MCALLEN DIVISION

THOMAS EARL MARD

VS.

C. GUTIERREZ, *et al*,§  
§  
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§

MISCELLANEOUS NO. 7:08-MC-2

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION  
AND GRANTING DISMISSAL**

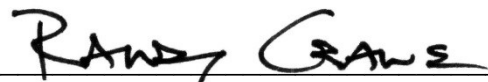
The Court has reviewed the Magistrate Judge's Report and Recommendation regarding Plaintiff Thomas Earl Mard's civil rights complaint pursuant to 42 U.S.C. § 1983. After having reviewed the said Report and Recommendation, the Court is of the opinion that the conclusions in said Report and Recommendation should be adopted by this Court.

It is, therefore, **ORDERED, ADJUDGED** and **DECREED** that the conclusions in United States Magistrate Judge Peter E. Ormsby's Report and Recommendation entered as Docket Entry No. 5 are hereby adopted by this Court.

FURTHER, the Court, having adopted the conclusions of the Report and Recommendation of United States Magistrate Judge Peter E. Ormsby, is of the opinion that Plaintiff's Motion for Voluntary Dismissal should be **GRANTED** and that this § 1983 action should be **DISMISSED** without prejudice.

The Clerk shall send a copy of this Order to the Plaintiff

SO ORDERED this 22nd day of June, 2016, at McAllen, Texas.



Randy Crane  
United States District Judge